

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROBERT E. JOHNSON,

Plaintiff,

V.

HAROLD CLARK et al.,

## Defendants.

Case No. C05-5401 FDB

## ORDER DENYING RECONSIDERATION

This matter comes before this Court on Plaintiff's Motion for Reconsideration, to Vacate, Amend, and Make Additional Findings, wherein Plaintiff seeks reconsideration of this Court's Order adopting Report and Recommendation granting Defendant's Motion For Summary Judgment.

Pursuant to Local Rules W.D. Wash. CR 7(h)(1), motions for reconsideration are disfavored, and will ordinarily be denied unless there is a showing of (a) manifest error in the prior ruling, or (b) facts or legal authority which could not have been brought to the attention of the court earlier, through reasonable diligence. Plaintiff's has not made the requisite showing as to either of the grounds for reconsideration under CR 7(h)(1). Plaintiff rather, attempts to use this motion to revisit

## ORDER - 1

1 the factual and legal arguments made in previous pleadings. The Court is not persuaded by this re-  
2 argument. Plaintiff's motion does not demonstrate a manifest error in the Court's order granting the  
3 Defendants' motion for summary judgment, nor does it provide the Court with any new information  
4 not previously considered.

5 For these reasons, Plaintiff's Motion for Reconsideration, to Vacate, Amend, and Make  
6 Additional Findings [Dkt #85] is DENIED.

7 DATED this 26<sup>th</sup> day of June, 2007.

8  
9  
10   
11 FRANKLIN D. BURGESS  
12 UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26